

UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF VIRGINIA  
ALEXANDRIA DIVISION

IN RE: LUMBER LIQUIDATORS )  
CHINESE-MANUFACTURED FLOORING )  
PRODUCTS MARKETING, SALES )  
PRACTICES AND PRODUCTS LIABILITY )  
LITIGATION )  
This Document Relates to: )  
ALL CASES )

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MDL No. 1:15-md-2627(AJT/TRJ)

**ORDER**

The court has under advisement defendant's Motion for Protective Order for Privileged Documents (no. 794).

Defendant argues for protection of the "communications, reports, interviews, and documents" relating to work by Freeh Group International Solutions, LLC performed in furtherance of its investigation for the Special Committee of defendant's board of directors. Motion at 1. (Defendant makes no claim of privilege or protection for material relating solely to the Freeh Group's continuing work as an advisor on compliance issues going forward.)

The court has studied the parties' submissions and arguments and finds that the Freeh Group's report and Powerpoint presentation submitted *in camera* and the material described above relating to them for which defendant seeks protection is work product within the meaning of Fed. R. Civ. P. 26(b)(3), that plaintiffs have not shown "substantial need" for this material within the meaning of that rule, and that defendant therefore need not disclose this work product. The court expresses no opinion on any other materials or on any other theory of relief.

To this extent the motion is GRANTED and it is so ORDERED.

Alexandria, Virginia  
February 23, 2016

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/s/  
THOMAS RAWLES JONES, JR.  
United States Magistrate Judge